

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

HESS CORPORATION,

Plaintiff,

-v.-

TIROL MANAGEMENT, INC.,

Defendant.

Civil Action No. 11-CV-3260 (JSR)

NOTICE OF DISMISSAL WITHOUT PREJUDICE, FED. R. CIV. P. 41(a)(1)

Pursuant to Rule 41 (a)(1)(A)(i) of the Federal Rules of Civil Procedure, plaintiff, Hess Corporation, having not served the Complaint and having not been served with an Answer or other responsive pleadings by defendant, Tirol Management, Inc. hereby dismisses without prejudice the Complaint herein, with each party to bear its own costs and attorneys' fees.

Respectfully submitted,

BAKER BOTTS LLP

Dated: June 21, 2011

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Attorneys for Plaintiff Hess Corporation

SO ORDERED this 23rd day of June, 2011

Jed S. Rakoff
Honorable Jed S. Rakoff
United States District Court Judge

NY02:715938.1

